

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dirk FREUND et al.

Confirmation No.: 8771

Serial No.: 09/582,471

Art Unit: 3736

Filed: August 15, 2000

Examiner: Nasser, Robert L.

For:

METHOD AND MEASURING  
DEVICE FOR DETERMINING  
BLOOD PRESSURENOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESCommissioner for Patents  
400 Duane Street  
Mail Stop AF  
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 23, 2004 of the Primary Examiner finally rejecting claims 43-49 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for two (2) months (\$450.00):
  - ☐ is submitted herewith.
  - ☒ was filed on December 10, 2004
  - ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a). The fee for this extension is estimated to be \$570.00 (balance of three-month extension fee), as two-month fee of \$450.00 was filed on December 10, 2004.
2. ☒ A response to the final rejection has been filed on December 10, 2004.
3. ☒ A fee in the amount of \$500.00 is:
  - ☒ Required.
  - ☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:
  - ☐ Required.
  - ☐ Not required (Fee paid in prior appeal).
5. ☒ The Commissioner is hereby authorized to charge \$1,070.00 to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 for Notice of Appeal Fee (\$500.00) and third month extension of time fee (\$570.00).
6. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS &amp; BOCKIUS LLP

By: 

James L. Reed

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January 24, 2005

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02 FC:1253 570.00 DA